

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

MEDEVA PHARMA SUISSE A.G.,
WARNER CHILCOTT
PHARMACEUTICALS, INC., and
WARNER CHILCOTT COMPANY, LLC

Plaintiffs,

v.

ROXANE LABORATORIES, INC.,

Defendant.

Civ. Action No. 07-5165 (FLW)(TJB)

**PLAINTIFFS' UNOPPOSED MOTION PURSUANT TO FEDERAL RULE OF CIVIL
PROCEDURE 25(c) FOR SUBSTITUTION OF WARNER CHILCOTT (US) LLC AS
PLAINTIFF**

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Attorneys for Plaintiffs

Dated: June __, 2011

Pursuant to Federal Rule of Civil Procedure 25(c), Plaintiffs Medeva Pharma Suisse A.G., Warner Chilcott Pharmaceuticals Inc., and Warner Chilcott Company, LLC (collectively “Plaintiffs”) respectfully moves the Court, on an unopposed basis, to request that the Court substitute Warner Chilcott (US) LLC for Warner Chilcott Pharmaceuticals, Inc.

Federal Rule of Civil Procedure 25(c) provides that “[i]f an interest is transferred, the action may be continued by or against the original party unless the court, on motion, orders the transferee to be substituted in the action or joined with the original party.” Fed. R. Civ. P. 25(c). “A transfer of interest in a corporate context occurs when one corporation becomes the successor to another by merger or other acquisition of the interest the original corporate party had in the lawsuit.” *SRS California Operations, LLC v. Kazel*, 2010 WL 194944 (D. Colo. Jan. 13, 2010) (quoting *Luxliner P.L. Export, Co. v. RDI/Luxliner, Inc.*, 13 F.3d 69, 71 (3d Cir. 1993)). On January 1, 2011, Warner Chilcott Pharmaceuticals, Inc. merged into Warner Chilcott (US) LLC. Warner Chilcott (US) LLC is now the United States correspondent and regulatory affairs agent in all matters concerning NDA 19-651. Accordingly, Plaintiffs request that the Court substitute Warner Chilcott (US) LLC for Plaintiff Warner Chilcott Pharmaceuticals, Inc.

Respectfully submitted,

s/ Sheila F. McShane

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